

Remarks

Applicant' s method

In drawings a baby may be illustrated as having a perfectly circular, suction-cup mouth, but a real breastfed baby does not have a circular mouth. Because of the shape of the mouth, it is difficult for a newborn to latch on a round breast. The present invention relates to a method for reshaping a mother' s round breast into a Vshaped wedge with the areola flattened into an oval generally shaped like a baby' s mouth such that a baby can latch onto the breast. The method is practiced in a manner such that the pressure on the breast does not plug the milk ducts.

In order to practice applicant' s method in claim 11, a device must be provided, the provided device applied to a breast behind a nipple, a baby positioned such that its lips take advantage of the reshaped breast formed by application of the device and the baby allowed to latch.

The device provided in claim 11 has a pair of outwardly bowed fingers. When applied to a breast centered on the nipple and spaced behind the nipple (which are requirements of claim 11), the outwardly bowed fingers apply an equalized force on opposite sides of the breast and the breast is formed into a V-shaped wedge with the areola flattened into an oval approximating the shape of a baby' s mouth. The outwardly bowed fingers spread the compressive force over the breast such that the pressure on the breast does not interfere with milk production.

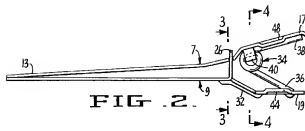
The device provided in claim 11 also has means for holding the curved fingers in selected spaced apart position compressing the breast into a V-shaped wedge. Various means for accomplishing this role are shown in the application.

Positioning a baby to take advantage of the V-shaped wedge and flattened areola in claim 11 requires that the baby be held such that its lips are generally parallel with a long axis of a wedge of breast compressed by the device. After which, the method provides that the baby is allowed to latch.

The Prior Art

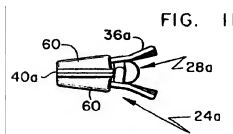
As shown in Fig. 2 of U.S. patent No. 3,983,887 to Chan a hair clip has upper and lower jaws (7,9) with fingers (11,13), finger extensions (17, 19) and a coil spring (34). Chan' s fingers (11, 13) are not outwardly bowed. Jaw 9 is straight and jaw 7 is substantially straight with a small dog-leg bend. If Chan' s clip were applied to a side of a human breast, the breast tissue on the clip side of the nipple would be squeezed into a wedge but the breast tissue on the opposite side would not. Chan' s clip therefore does not meet the requirement in applicant' s claim 11 that the fingers apply an equalized force on opposite sides of a breast centered on the nipple and Chan' s hair clip would not form the breast tissue into a V-shaped wedge and the areola into an oval that accommodates insertion into a baby' s mouth.

Nor would one skilled in the art be motivated to outwardly bow Chan' s jaws (7, 9) because if the jaws were bowed, the clip would not be suitable for use as a hair clip as it would slip off a lock of hair.



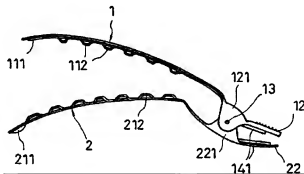
As shown in Fig. 11 of U.S. patent No. 5,522,407 to Kelsey, a hair clip (24a) has an insulating pad (60) that covers the outside of the jaws which are straight. Jaws angle inwardly from the pivotal support (28a) to the tip. As with Chan, if Kelsey' s hair clip were applied to a human breast, the breast would not form the areola into an oval because the clip does not apply pressure on the breast that is equalized around the nipple.

Nor would one skilled in the art be motivated to outwardly bow Kelsey' s jaws (26) because if the jaws were bowed, the clip would not be suitable for use as a hair clip as it would slip off a lock of hair.



As shown in Fig. 2 of U.S. patent No. 5,758,672 to Chou, a hair clip has upper and lower jaws (1,2) pivoted together (13) and spring biased (141). Upper and

lower jaws (1,2) are curved but they are not oppositely bowed. Like the other hair clips discussed above, one skilled in the art would not be motivated to outwardly and oppositely bow the jaws as that would render the clip ineffective as a hair clip.



The obviousness issue may be reduced to the question of "whether one of ordinary skill in the art (at the time of filing) would have been motivated to modify a hair clip (Chan, Kelsey or Chou) into a device with outwardly bowed fingers adapted to apply an equalized pressure on opposite sides of a portion of a breast centered on the nipple" in the absence of applicant' s own disclosure? And to then "provide said device, apply it to a breast, position a baby such that its lips take advantage of the reshaped breast and allow the baby to latch?" It is believed that the obviousness question can only be answered with "no" as it seems clear that Chan, Kelsey or Chou neither teach nor motivate applicant' s method.

In view of the above amendments and remarks, it is believed that applicant' s claims are in condition for allowance. Reconsideration of the application and allowance of the claims are therefore requested.

(314) 878-0440

Respectfully submitted,

/Grace J. Fishel/

(Mrs.) Grace J. Fishel
Reg. No. 25,864